

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

_____)	
UNITED STATES OF AMERICA,)	
)	
v.)	CRIMINAL ACTION
)	NO. 04-1777-CBS
JOHN DOE, a/k/a "Joel",)	
(Joel Marchado))	
Defendant,)	
_____)	

MEMORANDUM OF PROBABLE CAUSE AND
ORDER ON THE GOVERNMENT'S MOTION FOR DETENTION
June 25, 2004

SWARTWOOD, M.J.

I. Nature of the Offense and the Government's Motion

On June 18, 2004, a Criminal Complaint was filed, charging John Doe, a/k/a "Joel"¹ (Mr. Marchado), with producing false identification documents and knowingly transferring false identification documents without lawful authority, in violation of 18 U.S.C. §§1028(a)(1) and 1028(a)(2).

At Mr. Marchado's initial appearance on June 22, 2004, in connection with this Complaint, he was advised of his right to a preliminary examination in accordance with Fed. R. Crim. P. 5.1 and

¹Following the arrest of the person known to the Government as "Joel", it was determined that his true name was Joel Marchado and I will refer to him by his true name.

the Government moved for a detention hearing in accordance with 18 U.S.C. §§3142(f)(2)(A)(risk of flight).

On June 24, 2004, a consolidated probable cause/detention hearing was held and at that hearing, Mr. Marchado waived his right to a probable cause hearing and assented to an Order of Detention, but reserved his right to a detention hearing in the future.

II. Order of Detention Pending Trial

In accordance with the foregoing memorandum,
IT IS ORDERED:

1. That Mr. Marchado be committed to the custody of the Attorney General or his designated representative, for confinement in a corrections facility separate, to the extent practicable, from persons awaiting or serving sentences or being held in custody pending appeal;

2. That Mr. Marchado be afforded a reasonable opportunity for private consultation with counsel; and

3. On order of a court of the United States or on request by an attorney for the Government, the person in charge of the corrections facility in which Mr. Marchado is detained and confined shall deliver Mr. Marchado to an authorized Deputy United States Marshal for the purpose of any appearance in connection with a court proceeding.

RIGHT OF APPEAL

THE PERSON OR PERSONS DETAINED BY THIS ORDER MAY FILE A MOTION FOR REVOCATION OR AMENDMENT OF THE ORDER PURSUANT TO 18 U.S.C. § 3145 (b) .

/s/Charles B. Swartwood, III
CHARLES B. SWARTWOOD, III
MAGISTRATE JUDGE